



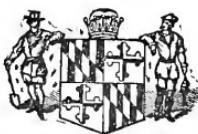
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7.
R E P O R T

OF THE

Commissioner of the Land Office
OF MARYLAND,

From October 1, 1893, to September 30, 1895.



ANNAPOLIS:
KING BROS., STATE PRINTERS,
1896.

Commissioners of the Land Office

From the First Settlement of the State to the Present Time.

JOHN LEWGER—1637.

Member of the Council—Officer in charge of land grants, &c.

JOHN LANKFORD—1641.

"During his natural life."—Surveyor General.

ROBERT CLARKE—1648.

Surveyor General.

JEROME WHITE—1664.

Surveyor General.

BAKER BROOKE—1676.

Surveyor General.

VINCENT LOWE—1679 to 1680.

Surveyor General.

In 1680 the Land Office was created, with a Register on each shore.

JOHN LLEWELLIN—*Register for Western Shore.*

VACHEL DOWNES—*Register for Eastern Shore.*

HENRY DARNAL—*Register, 1688.*

CHARLES CARROLL—*Register, 1712.*

EDWARD GRIFFITH—*Register, 1715.*

EDMUND JENNINGS—*Judge and Register, 1732.*

LEVIN GALE—*Judge and Register, 1738.*

PHILIP THOMAS—*Judge and Register, 1743.*

BENJ. TASKER AND BENJ. YOUNG—*Judges and Registers, 1746.*

BENJ. YOUNG AND GEORGE STEUART—*Judges and Registers, 1747.*

BENEDICT CALVERT AND GEORGE STEUART—*Judges and Registers, 1755.*

ST. GEORGE PEALE—*Register, 1777.*

JOHN CALLAHAN—*Register, 1779.*

JOHN KILTY—*Register, 1806.*

JOHN BREWER—*Register, 1812.*

G. G. BREWER—*Register, 1827.*

In 1841 the Eastern Shore office was transferred to the Western Shore.

G. G. BREWER—*Register for Western Shore.*

SAMUEL ROBERTS—*Register for Eastern Shore.*

The Constitution of 1851 created the office of Commissioner of the Land Office.

HON. JAMES MURRAY—1852.

HON. WILLIAM L. W. SEABROOK—1857.

HON. GEORGE L. L. DAVIS—1868.

DR. WILLIAM R. HAYWARD—1869.

J. THOMAS SCHARF, A. M., LL. D.—1884.

PHILIP D. LAIRD—1892.

REPORT.

LAND OFFICE OF MARYLAND.

ANNAPO利S, November 1st, 1895.

To His Excellency, the Governor:

SIR:—I have the honor to submit a report of the work of the Land Office of Maryland from October 1, 1893, to September 30, 1895.

Warrants have been issued as follows:

| | |
|---------------------------------------|----|
| Common warrants..... | 26 |
| Special warrants..... | 39 |
| Special warrants of resurvey..... | 15 |
| Special warrants of escheat..... | 3 |
| Special warrants of proclamation..... | 4 |
| <hr/> | |
| Total..... | 87 |

Of these warrants, thirty-five have been executed, thirty have expired and twenty-two remain in force.

Certificates of survey returned, 51.

Certificates of survey examined, 63.

Fifty patents have been issued, granting four thousand four hundred and forty-seven acres and fifteen perches of land, of which the quantity of two thousand two hundred and eleven acres, one rood and ten perches was vacant land. A list of said patents is given in detail in the following table:

LAND PATENTS.
Land Patents issued from October 1st, 1893, to September 30th, 1895.

| NAME OF LAND. | NAME OF PATENTEE. | VACANT LAND | | | | | |
|---|-------------------|-------------|--------|---|--------------|--------|---------|
| | | ACREs. | ROODS. | PENCEs. | ACREs. | ROODS. | PENCEs. |
| Mullikin's Delight Enlarged and Diminished..... | 353 | 3 | 05 | Franklin Davis..... | P. George's. | 1 | 0 13 |
| Oyster Haven..... | 116 | 0 | 00 | Ocean Beach Land & Imp. Co., of Baltimore City. | Worcester.. | 116 | 0 00 |
| Chataqua Island..... | 7 | 0 | 18 | Edward and Edwin Baltzley..... | Montgom'y. | 7 | 0 18 |
| Cabin John Island..... | 17 | 0 | 13 | Edward and Edwin Baltzley..... | Montgom'y. | 17 | 0 13 |
| Luck at Last..... | 17 | 0 | 22 | Ephraim W. Layfield..... | Wicomico.. | 17 | 0 22 |
| Ewell's Intention..... | 178 | 0 | 20 | Wm T. Ewell..... | Dorchester.. | 178 | 0 20 |
| Allen's Discovery..... | 2 | 0 | 13 | Frank T. Almy and John W. Anderson. | Baltimore.. | 2 | 0 13 |
| White's Discovery..... | 2 | 0 | 23 | Edward White..... | Wicomico.. | 2 | 0 23 |
| Waggaman's Great Luck..... | 481 | 1 | 35 | John F. Wagaman..... | Worcester.. | 42 | 0 35 |
| Grip | 3 | 0 | 00 | Esther R. Morrison..... | Allegany.. | 3 | 0 00 |
| Aaron's Last Choice..... | 246 | 0 | 02 | Aaron H. Calloway | Wicomico.. | 2 46 | 0 02 |
| Willing's Security..... | 25 | 0 | 00 | John W. Willing..... | Dorchester. | 25 | 0 00 |
| Sally's Hope..... | 259 | 3 | 08 | Sarah A. Jones..... | Dorchester.. | 0 | 0 00 |
| Second Addition to Slacum's Cow Pasture. | 7 | 0 | 15 | Mary Jane Pritchett et al. | Dorchester.. | 7 | 0 15 |
| First Addition to Slacum's Cow Pasture..... | 5 | 2 | 00 | Mary Jane Pritchett et al. | Dorchester.. | 5 | 2 00 |
| Balance..... | 18 | 2 | 00 | Jacob Kifer..... | Allegany.. | 18 | 2 00 |
| Hurley's Luck..... | 386 | 2 | 20 | Robert L. W. and Levin H. Hurley | Dorchester.. | 386 | 2 20 |
| Survey on Lot 3771..... | 54 | 3 | 20 | The George's Creek Coal and Iron Co. | Allegany.. | 2 | 3 20 |
| Laura's Delight..... | 234 | 0 | 00 | Laura J. Hughes..... | Dorchester.. | 132 | 0 00 |
| Resurvey on Part of Friendship Enlarged ... | 14 | 2 | 32 | Thomas E. Baker..... | Montgom'y.. | 0 | 0 00 |

Resurvey on Part of Friendship

Enlarged.

Seward's Sport.

The Abatis.

Traver's Hunting Ground

Traver's Resort.

Marshall's Discovery.

Tull's Island.

Addition to Armstrong's Meadows

Turner's Choice.

Alexander.

Case's Security.

Hop Island.

Clee Hill Addition.

Mitchell's Discovery.

Hurley's Adventure upon Els-

worth's Desertion.

Irwin.

Appleby.

Crockerhill.

Shephard's Harp.

Stackyard.

Timely Purchase.

Willow Island.

Maiden's Mount Addition.

Limestone Hollow.

Stalling's Farm.

Lavinia.

Swan Pond Marsh.

Kern's Farm.

Moorefield.

Williams' Luck.

Total number of acres in

Patents.

4447.

0.

15.

1.

10.

| | | | | | |
|-----|---|----|--|-----|-------|
| 6 | 3 | 26 | Mary C. Baker..... | 0 | 00 |
| 27 | 1 | 00 | Lee Seward..... | 27 | 1 00 |
| 17 | 2 | 23 | J. Martin McNabb | 17 | 2 23 |
| 25 | 0 | 00 | Frank M. Travers | 25 | 0 00 |
| 105 | 1 | 00 | Frank M. Travers | 105 | 1 00 |
| 22 | 2 | 00 | John P. Marshall | 22 | 2 00 |
| 1 | 0 | 36 | John W. S. Brady and Walters T. Harvey. | 0 | 00 |
| 1 | 1 | 35 | Theodore H. Armstrong | 1 | 1 35 |
| 71 | 0 | 06 | Edward S. S. Turner | 0 | 00 |
| 21 | 2 | 27 | Joshua E. Carey | 0 | 00 |
| 232 | 1 | 14 | Elizabeth Case | 0 | 00 |
| 7 | 1 | 00 | Caleb Forsythe | 7 | 1 00 |
| 3 | 1 | 00 | Henry Clay Whiteford | 3 | 1 00 |
| 50 | 0 | 00 | John T. Mitchell | 0 | 00 |
| 133 | 3 | 10 | Joshua Hurley | 138 | 3 10 |
| 27 | 2 | 00 | George J. Difffenbaugh | 27 | 2 00 |
| 35 | 0 | 20 | Preston Twigg and Polly Nixon | 35 | 0 20 |
| 27 | 0 | 00 | Preston Twigg and Polly Nixon | 27 | 0 00 |
| 126 | 1 | 00 | James A. Shephard | 126 | 1 00 |
| 86 | 3 | 20 | Richard A. Willison and Lemuel Willison | 86 | 3 20 |
| 16 | 1 | 22 | John T. Connaway | 16 | 1 22 |
| 26 | 0 | 00 | Rasin D. Fisher and George Poffenberger | 26 | 0 00 |
| 46 | 2 | 12 | H. Clay Whiteford and Sam'l J. Whiteford | 46 | 2 12 |
| 50 | 0 | 00 | David J. Blackiston | 0 | 0 00 |
| 210 | 1 | 20 | Anna Stallings | 0 | 3 00 |
| 44 | 0 | 00 | James D. Slacum and L. F. Slacum | 44 | 0 00 |
| 158 | 1 | 30 | James D. Slacum and L. F. Slacum | 158 | 1 30 |
| 122 | 1 | 00 | Mahlon H. Russell | 105 | 0 00 |
| 308 | 2 | 00 | Davis N. Murphy | 3 | 24 00 |
| 5 | 1 | 00 | William Laird | 5 | 1 00 |
| | | | Total number of acres of vacant lands included in Patents, | | 2211 |

The number of extracts of deeds indexed during this period is 83,964, and the total number indexed to date under the Act of 1876 (Code, Article 54, section 15) is 1,236,708.

The usual amount of correspondence, copying and recording has occupied the time and attention of the commissioner and chief clerk, and there has been an increase in the number of inquiries relating to family history, a class of work, by the way, which requires much care and consumes much time, and for which very inadequate fees are provided.

The index of early settlers has been completed and bound; the indexing and rearrangement of the certificates of survey and chancery papers has been begun; a number of caveat cases have been heard; a complete catalogue of the records, etc., of the office has been compiled; the books have been rebound and the office repaired and painted.

CONDITION OF THE RECORDS.

In the last biennial report, attention was called to the deplorable condition of the old record books, and the recommendation was made that section 14 of article 54 of the Code be so changed as to apply the appropriation therein made to the repair of all the record books in the office. The change was made as recommended, and the Commissioner at once proceeded to have the work done. Upon careful inspection, the books were found to be in worse condition than was supposed at the time the report was written, and the amount of work was necessarily increased, and the contemplated expenditure on that account unavoidably exceeded. In all, four hundred and eighty-three volumes were rebound and provided with canvas covers, at a cost of fourteen hundred and twenty-nine dollars and fifty cents. They are now in excellent condition, and a small expenditure from time to time for repairs, will keep them so.

In the last report, I also recommended that, in view of the fact that the fittings of the office were not intended for its use and not at all adapted to its needs, roller shelves be pro-

vided for the books, and metallic filing cases for the certificates of survey and chancery papers. The necessity for this was one of the first things that impressed me upon taking charge of the office, but I thought it best to submit the matter to the General Assembly before making an effort to produce a better condition with the existing furniture. Accordingly, a bill, making an appropriation for the purpose was prepared and introduced in the General Assembly, but failed to pass. I am sure that the expenditure would have been in the line of economy, because of the facility of reference afforded by modern office furniture, to say nothing of the preservation of the records; but, as the Legislature declined to afford any relief in this particular, the Commissioner at once applied himself to the task of putting the office in such condition as the very limited means at his command would allow. Of loose papers there are twelve thousand four hundred chancery cases, and, by estimate about forty-five thousand certificates of survey. More than four thousand certificates have been jackedeted, numbered and indexed, affording easy and rapid reference to them, and about one thousand chancery cases have been similarly treated. The system of arranging them to the best advantage, with the defective fittings of the office, was adopted after careful consideration and trial, and involved much labor; but it works well, and can be carried to completion from time to time at a trifling cost, without interfering with the current work.

REPAIRS.

The work of re-arranging the papers was delayed some time by the presence of book-binders and other workmen engaged in certain necessary repairs and in repainting the office. Some of the iron pigeon holes were removed and shelving to accommodate books, constructed in their place. The entire expenditure for carpenters' work, painting and help in moving records and cleaning was five hundred and sixty-eight dollars, and was paid out of the contingent fund of the office.

THE RECORDS OF THE OFFICE.

The records in the Land Office now embrace the following:

| | |
|---|-----------|
| Land Office Records, proper..... | 331 vols. |
| Provincial and General Court Records..... | 137 " |
| Chancery Records and Dockets..... | 220 " |

EXTRACTS OF DEEDS—

| | |
|---|-------|
| Miscellaneous, Series M. S., 1 to 12, 1788 to 1823, and indexes..... | 14 " |
| Miscellaneous, Series A. G., 1 to 19, 1792 to 1815, and indexes..... | 21 " |
| Miscellaneous, Series E. H., 1 to 35, 1815 to 1849, and indexes..... | 39 " |
| Allegany County, 17 volumes and 3 indexes..... | 20 " |
| Anne Arundel County, 20 volumes and 3 indexes. | 23 " |
| Baltimore City, 389 volumes and 36 indexes..... | 425 " |
| Baltimore County, 140 volumes and 9 indexes.... | 149 " |
| Baltimore County and City, 105 vol. 11 indexes.. | 116 " |
| Calvert County, 3 volumes and 2 indexes | 5 " |
| Caroline County, 10 volumes and 2 indexes..... | 12 " |
| Carroll County, 18 volumes and 3 indexes..... | 21 " |
| Cecil County, 13 volumes and 3 indexes..... | 16 " |
| Charles County, 7 volumes and 2 indexes..... | 9 " |
| Dorchester County, 9 volumes and 2 indexes..... | 11 " |
| Frederick County, 87 volumes and 10 indexes.... | 97 " |
| Garrett County, 2 volumes and 2 indexes..... | 4 " |
| Harford County, 23 volumes and 4 indexes..... | 27 " |
| Howard County, 14 volumes and 2 indexes..... | 16 " |
| Kent County, 13 volumes and 2 indexes.... | 15 " |
| Montgomery County, 22 volumes and 3 indexes.. | 25 " |
| Prince George's County, 10 volumes and 3 indexes. | 13 " |
| Queen Anne's County, 12 volumes and 2 indexes.. | 14 " |
| Somerset County, 15 volumes and 3 indexes..... | 18 " |
| St. Mary's County, 8 volumes and 3 indexes..... | 11 " |
| Talbot County, 9 volumes and 2 indexes..... | 11 " |
| Washington County, 34 volumes and 6 indexes.... | 40 " |
| Wicomico County, 4 volumes and 2 indexes..... | 6 " |
| Worcester County, 12 volumes and 3 indexes.... | 15 " |
| Charles County Court and other records..... | 71 " |

In addition to the foregoing are the 45,000 certificates of survey and 12,415 bundles of chancery papers before mentioned, and numerous maps and miscellaneous papers.

Appendix No. 1 contains a list of the Land Office books, with their contents and dates.

The fortunate discovery of lists of record books in the various Provincial offices, compiled in the early part of 1776 for the council of safety, enables me to say, that so far as the Land Office is concerned, but few records have been lost since that time. The few missing liber would be interesting, no doubt, but are not of the first importance.

INDEX OF LAND RECORDS.

The last report of the Commissioner contained the following:

"The indexes of the old land records—those of the Land Office proper—have been in use for a century and a quarter. They are rapidly tumbling to pieces, and in a number of places the names of patentees have been obliterated by handling or lost by the breaking of the leaves. It would be work thrown away to transcribe them. New indexes, upon the vowel system, are needed—indeed, by the time new indexes could be prepared the old one would be practically useless."

In order to accomplish this work, provision was made in one of the bills submitted to the Legislature for the employment of one additional clerk for the period of two years, at a salary of one thousand dollars. It failed of passage, and the work could not be done. The index books have been rebound, and are in fair condition in that respect, but in other respects the defects remain. I renew earnestly the recommendation made two years ago, except that I would substitute the directory plan for the vowel system of indexing. There should be two indices of these records, one of the names of patentees and one of the names of tracts of land. It is a work requiring great care and patience, and constant verification, but it is not beyond the capacity of an industrious and painstaking man in

the course of two years. Only those who are compelled to consult these records from day to day can appreciate the value of such an index or estimate its ultimate economy.

INDEX OF CHANCERY RECORDS.

I also renew the following recommendation, taken from the last report, in regard to an index of the Chancery Records:

"An index of the Chancery Records is much needed. It is easy to find a case if the name of the complainant is known, but this is not always within the inquirers's knowlege, and in several instances it has been impossible to furnish the desired information. The Court of Chancery was abolished more than forty years ago, and there is no one now living who, in cases of uncertainty, can give a clue to the records. There are many calls for information contained in these records, and an index of the names of decedents, mortgagors, tenants in common and others, whose lands were affected by the proceedings of the Court of Chancery, would be of very great value. It would not be a very voluminous work, but it would take time and care to prepare it."

EXTRACTS OF DEEDS.

Extracts of deeds from Baltimore city and the several counties of the State have been transmitted to the Land Office, in compliance with sections 54 and 55 of article 17 of the Code of Public General Laws, as follows:

Allegany county ; complete to April, 1895.

Anne Arundel county ; complete to March, 1895.

Baltimore city, complete to July, 1895.

Baltimore county ; complete to November, 1894.

Calvert county ; no extracts in this office from 1817 to 1882, excepting from December 5, 1863 to June 1, 1867, and from December, 1873 to June, 1875. Complete from June, 1882 to June, 1893.

Caroline county ; complete to June, 1895.

Carroll county ; complete to August, 1893.

Cecil county ; complete to Novembes, 1893.

Charles county ; complete from 1875 to August, 1894. No extracts from 1828 to 1875.

Dorchester county ; complete to March, 1894.

Frederick county ; complete to June, 1895.

Garrett county ; complete to June, 1895.

Harford county ; complete to September, 1893.

Howard county ; complete to June, 1895.

Kent county ; complete to June, 1895.

Montgomery county ; complete to June, 1893.

Prince George's county ; no extracts from 1827 to 1844, and from 1847 to 1879, excepting 1861 and 1862. Complete from 1879 to August, 1887. Under the Act of 1890, chapter 599, the following have been transmitted : 1828 to 1830 ; 1840 to 1841 ; 1841 to 1843 ; 1851 to 1854 ; May to November, 1854 ; 1855 to 1857 ; 1857 to 1859 ; 1859 to 1860 ; 1860 to 1861 ; 1878 to 1879.

Queen Anne's county ; complete to June, 1895.

St. Mary's county ; complete to June, 1895.

Somerset county ; complete to June, 1895.

Talbot county ; complete to June, 1895.

Washington county ; complete to June, 1895.

Wicomico county ; complete to February, 1893.

Worcester county ; complete to April, 1895.

Two years ago the Commissioner advised a change in the method of indexing these extracts of deeds. I beg leave to quote what was then said upon the subject :

"The work of indexing these extracts under the provisions of the Act of 1876, (Code, article 54, section 15,) is practically up to date. The method of doing this work and the manner of paying for it should, in my judgment, be changed. When it was resumed in 1876, after an interval of more than sixty years, the old plan was followed, which only brings together in one volume the running indexes of the separate libers. A general index should be strictly alphabetical as to both surnames and baptismal names, and should contain the names of all the parties to a deed, so that all conveyances to or from a given party for a stated period shall be grouped in one place.

Searching is thus facilitated, and the labor and time required reduced to the minimum. But the great advantage of such a system lies in its accuracy, without which an index is of little value. Under the present system it is almost impossible to verify the work, and it would require the entire time of two men for several years to verify what has already been done under the Act of 1876. No matter how many parties there may be to a deed, only the names of the first grantor and first grantee appear in the index. Again, it is paid for by the piece, and the temptation to earn as much as possible in the shortest time, leads to hasty work. There are abundant evidences that this temptation has found its victims. The vowel system, which is suggested in the place of that now practiced, necessitates the use of cards which, at every stage of the work, afford the means of easy and rapid verification; and from practical experience, the Commissioner is satisfied that the proposed system would not cost as much as the present one for a given amount of work. But it could not very well be paid for in the manner now provided by law, and a change is suggested. This work has cost the State, since 1876, nearly sixty-four thousand dollars, (now, 1895, nearly seventy thousand dollars,) and she has for this large outlay an imperfect and, it is feared, unreliable index. It was proper that the accumulated records should be indexed at the public expense, but as it is really for the benefit of property holders interested in the preservation of the evidences of their titles, there is no good reason why they should not pay for the current work, especially as the fees in the individual cases would be insignificant and would make the Land Office almost, if not quite, self-sustaining. The recommendation is, that the clerk of the Superior Court of Baltimore City and the clerks of the Circuit Courts for the counties, be required to tax as part of the recording fee the sum of ten cents for each deed, to cover the cost of indexing in the Land Office; the sums so collected to be remitted to the Commissioner on the first of June in each year, when the abstracts are sent on. The Commissioner of the Land Office should, of course, be required to keep an

account of the receipts and disbursements of this money, and to cover into the treasury of the State all unexpended balances. The piece work should be stopped and clerks should be regularly employed to do the work, upon the vowel plan above suggested. The fee named would produce about twenty five hundred dollars a year, and would be ample to cover the salaries of clerks, the binding of extracts and making of index books, and all other expenses incident to the extracts of deeds, which are now borne by the treasury.

"It is true that the revenue from this source would not begin to accrue until a year after the passage of the Act, but no injury would be felt if the indexing, as now done, should be suspended for that length of time. Indeed, if other recommendations made herein are acted upon, it would greatly facilitate matters to be temporarily relieved of this work."

The experience of two more years in the office, and much additional consideration of the subject, confirm the views expressed in the former report. In accordance with the recommendation therein made, a bill was carefully prepared to carry it out, but it met with unexpected opposition and failed to become a law. In renewing the recommendation, I deem it due to myself to notice, for the purpose of denying, the ground of objection made in the House of Delegates. I quote from the debate as reported in the newspapers:

"This is one of three bills introduced which relate to the Land Office. The point I wish to call the attention of the House to is that these bills are here for separate consideration, when they could all be disposed of upon one consideration. This bill is for the payment of 10 cents upon each deed recorded, for the purpose of establishing a fund for the carrying on of the Land Office. It is to aid the people who have revolutionary ancestors to have easy access to documents which reveal their ancestral pedigree. There is no reason why the purchaser of property should be taxed for what they are not alone the beneficiaries of. For the purpose of having all these bills put in one and for the purpose of investigation, I propose that this bill be referred to the committee on ways and means."

It was also asserted that the bills were intended to create additional patronage.

These statements could not have been made by one who had read with care the provisions of the bill, or who possessed even a superficial knowledge of the records of the Land Office. By the terms of the bill the fund proposed to be raised by the index fees was set apart for the specific purpose of defraying the expense of indexing the extracts of deeds, and could not be used for any other purpose. The objects of the bill were, to relieve the Treasury of an expense which should properly be borne by those for whose benefit the work is done; to limit the cost of, and the number of clerks employed upon, the work—not to “create additional patronage;” and to enable the Commissioner to adopt a system of indexing which would be reliable in itself, satisfactory to those who use it, and a credit to the office. The bill had reference to current work alone, and the antiquarian and the searcher after Revolutionary ancestors could derive no possible assistance from it. Not only was there no purpose to apply the fund to the indexing of Revolutionary records, but it is a fact that the few Revolutionary records in the office are compiled alphabetically and do not require to be indexed at all.

As the proposed change necessitated the amendment of two separate articles of the code, and the third bill made an appropriation for a specific purpose, it is difficult to understand how one bill could have been framed to comprehend all the purposes in view.

The present system of indexing the extracts of deeds is antiquated, slow, slipshod and expensive—sufficient grounds, certainly, for recommending a change. But a still graver reason lies in the fact that it is capable of being, and has been, abused. In his last report, pages 14 and 15, the Commissioner directed attention to the fact that when he entered upon the administration of the office, two clerks, whose combined salaries amounted to eighteen hundred dollars a year,

were paid out of the appropriation for indexing extracts of deeds, but were not doing that work at all. They were, in fact, only general clerks, for whose employment there was no provision of law. This abuse might be carried to a considerable extent with but small risk of detection; and if the system is not abolished or changed, at least the cost of the work in any one year should be limited. The Commissioner has no hesitation in saying, that unless the proposed fee system is adopted, it would be best to suspend the present system, with some provision of law under which the deeds from a particular county could be at once indexed in case of the destruction of the home records.

Up to the adjournment of the General Assembly of 1894, I had kept but one clerk, at a salary of twelve hundred dollars a year, at this work. In the meantime, in compliance with requests from the Commissioner, delinquent clerks had forwarded extracts from the counties, and there being quite an accumulation of them, and the Legislature apparently desiring the work to continue in the old way, I felt that I had no alternative but to carry out the law, and on May 1, 1894, I employed a second clerk at a salary of twelve hundred dollars a year, and since that date two clerks have been constantly employed upon the work.

EXPENSES OF THE OFFICE.

In connection with the foregoing subject, it may be well to give some account of the expenses of the office. The salary of the Commissioner is fixed by the Constitution at fifteen hundred dollars, and the salary of the clerk is fixed by the Code at twelve hundred dollars. To these amounts must be added the contingent fund of six hundred dollars, making the total fixed charges thirty-three hundred dollars per annum. As an offset to this sum are the fees of the office, which are covered into the treasury, and which, since 1876, the date of resuming the indexing of the extracts of deeds, have averaged the sum of \$1,581.91 per year, leaving the net charge upon the treasury of the Land Office proper, the sum of \$1,768.09 per

year. The care of the records is worth much more than this amount to the people of the State.

Since 1876, the cost of indexing the extracts of deeds has aggregated the sum of \$69,764.81, or \$3,488.24 per year. It was this particular expense of which I sought to relieve the treasury by the proposed change in the system of indexing the extracts. I have reduced it as far as possible. Prior to 1892, during which year I took charge of the office, the average per year was \$3,672.54. Since that time the average has been \$2,751.04. In this latter average, however, is included the sum of \$1,429.50, expended in rebinding the books, which is not properly chargeable to running expenses, and deducting that amount, the average since 1892 has been \$2,393.66, an annual reduction of \$1,278. 88.

PROVINCIAL AND REVOLUTIONARY RECORDS.

Most of the Provincial legislative and council records have been sent to the Maryland Historical Society, under the provisions of the act of 1882, chapter 138. In order to preserve a record of has them, a list been prepared and will be found in Appendix No. 2.

There are but few Revolutionary records in the office. Such as there are are in a fair state of preservation. In May, 1894, the trustees of the Chesapeake and Ohio Canal Company sent to the State Treasurer several bundles of old papers that had become mixed with the archives of the company, and the treasurer turned them over to the Commissioner of the Land Office. Upon examination they turned out to be papers belonging to the committee of safety during the Revolutionary War. There was nothing of special historical value, but a good deal that is interesting, such as commissions to officers of the army, original enlistment papers, letters from various sections of the State, a few company muster rolls, and a considerable amount of information about the Maryland Navy of that date. I regret that I have not, so far, found the time to classify and arrange all of these papers, but I hope to do so

before the end of the calendar year. The officers' commissions have been framed, and the enlistment papers have been arranged alphabetically and substantially bound.

CHARLES COUNTY RECORDS.

In May, 1889, seventy-one volumes of the ancient records of Charles county were deposited in the Land Office in pursuance of the following order:

"May 21, 1889.

In the Circuit Court for Charles county. The clerk is ordered to hand over to William Francis Cregar, agent of the Commissioner of the Land Office, the records of this Court covering the period from 1662 to 1786, and a volume of extracts of deeds from 1785 to 1803, to be preserved among the public records in the Land Office at Annapolis, and to take an itemized receipt for the same, which, it is further ordered, shall be placed upon record in the clerk's office.

F. STONE, C. J.,

JOHN B. BROOKE, A. J.,

J. PARRAN CRANE, A. J."

I suppose, therefore, these volumes may be regarded as part of the permanent records of the Land Office. They are in very bad condition, and there is no fund available for rebinding them.

THE CREGAR INDICES.

Under the act of 1892, chapter 607, an appropriation of two hundred dollars was made for the purchase of several indices made by the late William F. Cregar. The index of the early settlers, as before stated, has been transcribed and bound in two volumes. It embraces about twenty-one thousand names.

I had hoped to be able to report at this time that the index of the Chancery depositions and of the wills had also been transcribed. It has been impossible, however, to undertake it, inasmuch as there were other things of much more importance

requiring immediate attention. The cards of these indices are alphabetically arranged, and can be readily consulted, but they should be transcribed as soon as possible after the more pressing work is disposed of.

CATALOGUE.

I am glad to report the completion of [a] catalogue of all the records, documents, etc., in the Land Office, which has been in course of compilation for some time. It was impossible to devote any but spare time to this work, and as it involved some examination of many books and papers, progress upon it has been necessarily slow. Portions of it are given in the appendices to this report, but not in the detail which characterizes the catalogue itself.

CAVEAT CASES.

Four caveat cases have been heard, determined and recorded by the Commissioner. The docket still contains a large number of cases, mostly of long standing, although every effort has been made to have some disposition made of them.

RETURN OF CERTIFICATES.

The change in the law, whereby certificates of survey are required to be returned within six months from the date of the warrant, has fulfilled the expectations of the Commissioner; and there has been no complaint from the people of the three counties affected by making the caution and composition money uniform throughout the State.

BOUNDARIES.

In Appendix No. 3 will be found a list of all documents, maps, &c., on file in the Land Office, relating to the boundaries of the State.

MUSEUM.

In the last report, attention was called to the inadequate space for the accommodation of the Museum which had been started by my predecessor in office. The cases containing the

exhibits have been removed to the gallery in one of the rooms, but the exhibit itself is in a wholly unsatisfactory condition. The Land Office is not the proper place for a museum. The work of the office is often interrupted by visitors, who in turn are disappointed by the poor arrangement of the specimens. A large proportion of the articles belonged to private individuals, and were removed when the changes were being made in the office, and, except a few hundreds of stuffed birds, there is nothing of value left. I think, however, that this remnant could be put to good use by donating it to the Maryland Academy of Sciences in Baltimore. There the specimens would be properly cared for and exhibited, and would be a source of pleasure and information to a number of people. The building of the Academy of Sciences is open daily, and is free to the citizens of the State. The institution is supported by the dues of its members, and deserves such encouragement as the State can extend to it.

I have found the duties of the Commissioner somewhat laborious, but upon the whole, pleasant, and suited to my tastes and habits, and I trust that my service has not been wholly without value to the public. The office is not now in an ideal condition, by any means, and cannot be rendered so without the expenditure of money, of which I had none at my command for general purposes. While I still recognize the necessity of improved office furniture, as recommended two years ago, and believe it would be true economy in the end to supply it, I do not feel at liberty to recommend a plan which might hamper my successor, whose ideas may be different from mine; but I cannot forbear commending the subject to the General Assembly. The records are priceless and should be preserved.

In view of the early termination of my incumbency, I desire to thank your Excellency for your uniform courtesy and assistance in my efforts to improve the condition of the State's property committed to my charge. The clerks under me have been attentive, industrious and efficient in their work, and our

intercourse has not been marred by the slightest misunderstanding. They deserve the success in life which I hope for them.

Respectfully submitted,

PHILIP D. LAIRD,

Commissioner of the Land Office.

Appendix No. 1.

LAND OFFICE RECORDS.

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| Series Nos. 1 to 23, Patents, Certificates, Warrants, Assignments, Petitions and Court Proceedings, 1638-1695 | 23 Vols. |
| Liber A. B. & H., Patents, 1646-1654..... | 1 " |
| " Q. Patents, Certificates, Warrants, etc., 1658... . | 1 " |
| " C. B., Nos. 2 and 3, Patents, 1680-1683..... | 2 " |
| " J. B. & J. L., No. C., Patents, 1684-1700.... . | 1 " |
| " S. D., No. A., Patents, 1683-1684..... | 1 " |
| " N. S., Nos. B and 2, Patents, 1683-1688..... | 2 " |
| " W. D., Patents, 1689-1706. | 1 " |
| " D. S., No. F., Warrants, Assignments and Patents, 1685-1706 | 1 " |
| " B. B., No. 3 A, Patents and Certificates, 1686- 1697..... | 1 " |
| " C. C., No. 4, Patents and Certificates, 1696- 1699 | 1 " |
| " D. D., Patents and Certificates, 1696..... | 1 " |
| " C., Patents and Certificates, 1694-1695..... | 1 " |
| " D. D., No. 5, Certificates, Assignments, &c., 1700-1713 | 1 " |
| " E. E., No. 6, Patents and Certificates, 1713- 1715 | 1 " |
| " F. F., No. 7, Patents and Certificates, 1713- 1721 | 1 " |
| " P. L., Nos. 2 to 8, Patents, 1706-1734..... | 7 " |
| " R. Y., No. 1, Patents, 1714..... | 1 " |

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| Liber C. E., No. 1, Patents, 1715-1722. | 1 Vols. |
| “ J. L., Nos. A and B, Certificates and Assignments, 1719-1733..... | 2 “ |
| “ A. M., No. 1, Certificates and Assignments, 1728-1735..... | 1 “ |
| “ E. J., Nos. 1 to 6, Patents and Certificates, 1732-1743 | 6 “ |
| “ L. G., Nos. B, C, & E, Certificates and Assignments, 1743-1745..... | 3 “ |
| “ P. T., Nos. 1 and 2, Patents, 1743-1746..... | 2 “ |
| “ B. T. & B. Y., No. 3, Patents, 1745-1747..... | 1 “ |
| “ T. J., Nos. 1, 3 and 4, Patents and Certificates, 1747-1751 | 3 “ |
| “ B. Y. & G. S., Nos. 1 to 5, Patents, Certificates, etc., 1746-1751..... | 5 “ |
| “ Y. & S., Nos. 6 to 8, Certificates and Patents, 1751-1754 | 3 “ |
| “ G. & S., Nos. 1 and 2, Certificates and Patents, 1752-1755 | 2 “ |
| “ B. C. & G. S., Nos. 1 to 52, Patents, Certificates, etc., 1754-1776..... | 52 “ |
| “ J. C., Nos. A to S, Patents and Certificates, 1782-1809 | 18 “ |
| “ J. K., Nos. T. & U., Patents and Certificates, 1805-1811 | 2 “ |
| “ J. B., Nos. A to G., Patents and Certificates, 1811-1823 | 7 “ |
| “ J. B. & G. G. B., No. H., Certificates, 1824-1829 | 1 “ |
| “ G. G. B., Nos. 1, 2, 3, Patents and Certificates, 1828-1842 | 3 “ |
| General Indices to above Records..... | 7 “ |
| “ G. G. B., Nos. 4 to 8, Patents and Certificates, 1806-1857 | 6 “ |
| “ W. L. W. S., Nos. 2 and 3, Patents and Certificates, 1861, 1871..... | 2 “ |
| “ G. L. L. D., No. 1, Certificates, 1826-1877.... | 1 “ |

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| Liber J. M., No. 1, Patents, 1854-1861..... | 1 Vols. |
| " W. R. H., No. A, Maryland and Virginia Boundary, and Light Houses, 1877..... | 1 " |
| " W. R. H., No. 1, Patents, 1872-1882..... | 1 " |
| " W. R. H., No. 1, Certificates, 1871-1877..... | 1 " |
| " W. R. H., No. 2, Patents, 1883..... | 1 " |
| " W. R. H., No. 1, Warrants, 1880..... | 1 " |
| " J. T. S., No. 1, Certificates, 1888.. | 1 " |
| Warrants, Assignments, Petitions, &c., 1661-1879... | 71 " |
| Eastern Shore Records, Patents and Certificates, 1796-1842 | 8 " |
| General Indices to Warrants..... | 5 " |
| Eastern Shore Warrants, Assignments, &c., 1781- 1842..... | 15 " |
| Rent Rolls..... | 49 " |

Appendix No. 2.

Records belonging to the Land Office, now in the possession of the Maryland Historical Society, under the provisions of the Act of 1882, chapter 138.

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| Upper House Journals, 1659-1777..... | 14 Vols. |
| Lower House Journals, 1676-1763..... | 14 " |
| Assembly Proceedings, 1637-1774 | 8 " |
| Journal of Senate, 1783..... | 1 " |
| Journals of House of Delegates, 1777-1780..... | 3 " |
| Council Proceedings, &c., 1636-1791..... | 21 " |
| Commissions, 1726-1786 | 3 " |
| Maryland Archives, 1682-1785..... | 1 " |
| Court of Oyer and Terminer, 1728-1752..... | 1 " |
| Letter Books, 1756-1793..... | 8 " |
| Board of Revenue, 1768-1775..... | 1 " |
| Entry Book, 1771..... | 1 " |
| Invoice Books, 1771-1776..... | 1 " |
| Postage Book, 1774-1777..... | 1 " |
| Ledger, B. No. 2, 1780-1782..... | 1 " |
| Day Book, 1784-1786..... | 1 " |
| Proprietary Papers, 1701-1776..... | 6 " |

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| Church Vestry Papers, various periods..... | 2 Vols. |
| Proprietary Papers relative to Indians, 1638-1764, and Correspondence, 1744-1764..... | 1 " |
| Correspondence of Lord Baltimore and Officers of the British Crown, &c..... | 1 " |
| Papers in the case of the designed arrest of Governor Eden, &c..... | 1 " |
| Minutes of Maryland Convention, 1775..... | 1 " |
| Minutes of Council of Safety, Instructions and Cor- respondence of Maryland Delegates in Congress etc., 1776-1790..... | 32 " |
| Sixty-two letters from General Washington, 1777- 1799..... | 1 " |
| Letters from General Smallwood, 1777-1782..... | 1 " |
| Letters from Generals Gist and O. H. Williams, 1775- 1781 | 1 " |
| Miscellaneous Papers, 1777-1797 | 5 " |
| Military Correspondence, 1779-1781..... | 1 " |
| Printed Broadsides.. | 1 " |
| Maryland Stock in Bank of England..... | 1 " |
| Maryland Bank Stock in England..... | 1 " |
| Papers concerning losses during Revolutionary War, and Information about British Property..... | 1 " |
| Liber C. & W. H., 1638-1678. | |
| " W. H. & L., 1640-1692. | |
| " L. L., No. 1, 1692. | |
| " L. L., No. 2, 1692-1704. | |
| " L. L., No. 3, 1704-1710. | |

Appendix No. 3.

BOUNDARIES.

I. MARYLAND, PENNSYLVANIA AND DELAWARE.

Report of Commissioners, 1850. Three Copies.

Report of Lieutenant Graham.

Map of the Line, as run by Lieutenant Graham.

II. MARYLAND, AND PENNSYLVANIA.

Agreement between Charles Lord Baltimore and John, Thomas and Richard Penn, of May 10, 1732, and the Commission to the Pennsylvania Commissioners of May 12, 1732. (Printed.)

Agreement between Lord Baltimore and Thomas and Richard Penn, of July 4, 1760. (Parchment, worn.)

Commission to Horatio Sharpe and others, Maryland Commissioners, under foregoing agreement. (Parchment, in fair condition.)

Minutes of the Joint Commissioners of Lord Baltimore and the Penns, November 19, 1760, to November 9, 1768.

Minutes of Commissioners, April 30, 1762, to August 30, 1763.

Field Notes and Journal of the Surveys of Lord Baltimore and the Penns, for the year 1761.

Original Astronomical Observations and Journal of Mason and Dixon, November 15, 1763, to October 4, 1767.

III. MARYLAND AND VIRGINIA.

Correspondence of the Joint Commissioners under the Acts of March and May, 1852, and of March, 1860.

A. Western Boundary.

Measurements of the Meridian, original notes by Daser, 1860, Books 1 and 2.

Astronomy, 1859, Lieutenant Michler.

Data used in Compilation of Maps from Fairfax Stone to Pennsylvania Line, 1859, 1860, 1861.

Original Astronomical Computations.

Original Notes of Survey, Books 1, 2, 3, 4.

Atlas of Western Boundary, 26 plates by Lieutenant Michler.

B. East of the Bay and Southern Boundary.

Data used in the Compilation of the Maps, 1859.

Survey Books, 1858. No. 1, Commencing at Chincoteague Bay; No. 2, Commencing at Pocomoke River.

Field Books (Theodolite,) Nos. 1, 2, 3, 4, Lieut. Michler.

The Black-Jenkins Award, (Map), 1877.

Smith's Point to Atlantic Ocean, (Map), 1883.

Winthrop and Lee's Map of the Boundary Line between Dorchester and Somerset Counties, 1860.



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